

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JONATHAN FISHER,	:	CIVIL ACTION
Petitioner	:	
	:	
v.	:	NO. 02-1764
	:	
JEFFREY BEARD, et al.,	:	
Respondents	:	

ORDER

STENGEL, J.

AND NOW, this 10th day of August, 2009, upon careful and independent consideration of the petition for writ of *habeas corpus*, and after review of the thorough and well-reasoned Report and Recommendation of United States Magistrate Judge Timothy R. Rice, it is hereby ORDERED that:

1. The petitioner's objections are OVERRULED;
2. The Report and Recommendation is APPROVED and ADOPTED;
3. The petition for writ of *habeas corpus* is DENIED with prejudice;
4. There is no probable cause to issue a certificate of appealability;
5. The Clerk of Court shall mark this case CLOSED for statistical purposes.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.